

**STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com

OIPE  
JC152  
OCT 24 2001  
TRADEMARK OFFICE

*Seebox 13  
#3*

ROBERT GREENE STERNE JOHN M. COVERT  
 EDWARD J. KESSLER LINDA E. ALCORN  
 JORGE A. GOLDSTEIN ROBERT C. MILLONIG  
 SAMUEL L. FOX\*\*\* MICHAEL V. MESSINGER  
 DAVID K.S. CORNWELL JUDITH U. KIM  
 ROBERT W. EDMOND TIMOTHY J. SHEA, JR.  
 TRACY-GENE G. DURKIN PATRICK E. GARRETT  
 MICHELE A. CIMBALA JEFFREY T. HELVEY\*  
 MICHAEL B. RAY HEIDI L. KRAUS  
 ROBERT E. SOKOHL JEFFREY R. KURIN  
 ERIC K. STEFFE PATRICK D. O'BRIEN  
 MICHAEL O. LEE LAWRENCE B. BUGAISKY  
 STEVEN R. LUDWIG CRYSTAL D. SAYLES

EDWARD W. YEE  
 ALBERT L. FERRO\*  
 DONALD R. BANOWIT  
 PETER A. JACKMAN  
 MOLLY A. MCCALL  
 TERESA U. MEDLER  
 JEFFREY S. WEAVER  
 KENDRICK P. PATTERSON  
 DONALD J. FEATHERSTONE  
 VINCENT L. CAPUANO  
 JOHN A. HARROUN\*  
 ALBERT J. FASULO II\*  
 ELDORA ELLISON FLOYD\*

W. RUSSELL SWINDELL  
 THOMAS C. FIALA  
 BRIAN J. DEL BUONO\*  
 VIRGINIA L. BEASTON\*  
 RYAN J. STAMPER\*  
 REGINALD D. LUCAS\*  
 THEODORE A. WOOD  
 ELIZABETH J. HAANES  
 BRUCE E. CHALKER  
 JOSEPH S. OSTROFF  
 KAREN R. MARKOWICZ\*\*  
 SUZANNE E. ZISKA\*\*  
 ANDREA J. KAMAGE\*\*

NANCY J. LEITH\*\*

JOSEPH M. CONRAD, III\*\*

Douglas M. Wilson\*\*

ANN E. SUMMERFIELD\*\*

CYNTHIA M. BOUCHEZ\*\*

HELENE C. CARLSON\*\*

GABY L. LONGSWORTH\*\*

DUSTIN T. JOHNSON\*\*

MATTHEW J. DOWD\*\*

AARON L. SCHWARTZ\*\*

\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES

\*\*REGISTERED PATENT AGENT

\*\*\*SENIOR COUNSEL

October 24, 2001

**WRITER'S DIRECT NUMBER:**

(202) 371-2677

**INTERNET ADDRESS:**

RSOKOHL@SKGF.COM

Commissioner for Patents  
 Washington, D.C. 20231

**Box Missing Parts**

Re: U.S. Utility Patent Application  
 Appl. No. 09/916,653; Filed: July 30, 2001  
 For: Handshaking Communication System for Multiple XDSL  
 Inventor: Palm, Stephen R.  
 Our Ref: 1875.0080001

Sir:

In reply to the "Notice to File Missing Parts of Nonprovisional Application," dated September 11, 2001, Applicant submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17);
2. Copy of the Notice to File Missing Parts;
3. Original executed Declaration for Patent Application;
4. One (1) return postcard; and
5. SKG&F check no. 32933 in the amount of \$1686.00 to cover:  
     \$740.00 fee for nonprovisional patent application filing;  
     \$648.00 fee for total claims in excess of twenty (20);  
     \$168.00 fee for independent claims in excess of three (3); and  
     \$130.00 surcharge for late filing of Declaration.

Commissioner for Patents  
October 24, 2001  
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefore are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert Sokohl  
Attorney for Applicant  
Registration No. 36,013

RES/WBE:mlb  
Enclosures



OCT 24 2001  
PATENT TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/916,653	07/30/2001	Stephen R. Palm	1875.0080001

26111  
STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W., SUITE 600  
WASHINGTON, DC 20005-3934

CONFIRMATION NO. 8494  
FORMALITIES LETTER



\*OC000000006542160\*

Date Mailed: 09/11/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$808.
  - \$648 for 36 total claims over 20.
  - \$160 for 2 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1648.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/25/2001 MWOLDER1 00000048 09916653

01 FC:101	740.00 OP
02 FC:102	168.00 OP
03 FC:103	648.00 OP
04 FC:105	130.00 OP

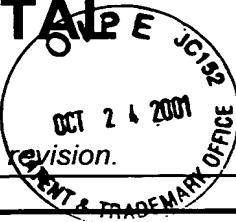
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$1686.00)



Complete if Known

Application Number	09/916,653
Filing Date	July 30, 2001
First Named Inventor	Palm, Stephen R.
Examiner Name	(to be assigned)
Group Art Unit	2631
Attorney Docket No.	1875.0080001

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																																																		
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <p>Deposit Account Number <b>19-0036</b></p> <p>Deposit Account Name <b>Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.</b></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>Total Claims <u>56</u> - 20** = <u>36</u> X <u>18</u> = <u>648.00</u></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>Indep. Claims <u>5</u> - 3** = <u>2</u> X <u>84</u> = <u>168.00</u></td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td colspan="6"> <p>Multiple Dependent _____ = _____</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim</td></tr> <tr><td>108</td><td>84</td><td>209</td><td>42</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> </td></tr> <tr> <td colspan="6"> <p><b>SUBTOTAL (1) (\$ 740.00)</b></p> <p>Other fee (specify): _____</p> <p>Other fee (specify): _____</p> <p>*Reduced by Basic Filing Fee Paid</p> </td></tr> <tr> <td colspan="6"> <p><b>SUBTOTAL (3) (\$ 130.00)</b></p> <p>Complete (if applicable)</p> </td></tr> <tr> <td colspan="6"> <p>SUBMITTED BY</p> <table border="1"> <tr> <td>Name (Print/Type)</td> <td>Robert Souchl</td> <td>Registration No. (Attorney/Agent)</td> <td>36,013</td> <td>Telephone</td> <td>202-371-2600</td> </tr> <tr> <td>Signature</td> <td></td> <td></td> <td></td> <td>Date</td> <td>10/24/01</td> </tr> </table> </td></tr> </tbody> </table>					Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee paid	105	130	205	65	Surcharge - late filing fee or oath	130.00	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for ex parte reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	130	123	130	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		Total Claims <u>56</u> - 20** = <u>36</u> X <u>18</u> = <u>648.00</u>						Indep. Claims <u>5</u> - 3** = <u>2</u> X <u>84</u> = <u>168.00</u>						<p>Multiple Dependent _____ = _____</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim</td></tr> <tr><td>108</td><td>84</td><td>209</td><td>42</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>						Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	84	202	42	Independent claims in excess of 3	104	280	204	140	Multiple dependent claim	108	84	209	42	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent	<p><b>SUBTOTAL (1) (\$ 740.00)</b></p> <p>Other fee (specify): _____</p> <p>Other fee (specify): _____</p> <p>*Reduced by Basic Filing Fee Paid</p>						<p><b>SUBTOTAL (3) (\$ 130.00)</b></p> <p>Complete (if applicable)</p>						<p>SUBMITTED BY</p> <table border="1"> <tr> <td>Name (Print/Type)</td> <td>Robert Souchl</td> <td>Registration No. (Attorney/Agent)</td> <td>36,013</td> <td>Telephone</td> <td>202-371-2600</td> </tr> <tr> <td>Signature</td> <td></td> <td></td> <td></td> <td>Date</td> <td>10/24/01</td> </tr> </table>						Name (Print/Type)	Robert Souchl	Registration No. (Attorney/Agent)	36,013	Telephone	202-371-2600	Signature				Date	10/24/01
Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee paid																																																																																																																																																																																																																															
105	130	205	65	Surcharge - late filing fee or oath	130.00																																																																																																																																																																																																																															
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																																																
139	130	139	130	Non-English specification																																																																																																																																																																																																																																
147	2,520	147	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																																																																
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																																																
116	400	216	200	Extension for reply within second month																																																																																																																																																																																																																																
117	920	217	460	Extension for reply within third month																																																																																																																																																																																																																																
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																																																																																
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																																																																																
119	320	219	160	Notice of Appeal																																																																																																																																																																																																																																
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																																																																																
121	280	221	140	Request for oral hearing																																																																																																																																																																																																																																
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																																																																
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																																																																																
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																																																																																
143	460	243	230	Design issue fee																																																																																																																																																																																																																																
144	620	244	310	Plant issue fee																																																																																																																																																																																																																																
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																																																
123	130	123	130	Petitions related to provisional applications																																																																																																																																																																																																																																
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																
Total Claims <u>56</u> - 20** = <u>36</u> X <u>18</u> = <u>648.00</u>																																																																																																																																																																																																																																				
Indep. Claims <u>5</u> - 3** = <u>2</u> X <u>84</u> = <u>168.00</u>																																																																																																																																																																																																																																				
<p>Multiple Dependent _____ = _____</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim</td></tr> <tr><td>108</td><td>84</td><td>209</td><td>42</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>						Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	84	202	42	Independent claims in excess of 3	104	280	204	140	Multiple dependent claim	108	84	209	42	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																	
Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																																																																
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																																																
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																																																																																
104	280	204	140	Multiple dependent claim																																																																																																																																																																																																																																
108	84	209	42	**Reissue independent claims over original patent																																																																																																																																																																																																																																
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																
<p><b>SUBTOTAL (1) (\$ 740.00)</b></p> <p>Other fee (specify): _____</p> <p>Other fee (specify): _____</p> <p>*Reduced by Basic Filing Fee Paid</p>																																																																																																																																																																																																																																				
<p><b>SUBTOTAL (3) (\$ 130.00)</b></p> <p>Complete (if applicable)</p>																																																																																																																																																																																																																																				
<p>SUBMITTED BY</p> <table border="1"> <tr> <td>Name (Print/Type)</td> <td>Robert Souchl</td> <td>Registration No. (Attorney/Agent)</td> <td>36,013</td> <td>Telephone</td> <td>202-371-2600</td> </tr> <tr> <td>Signature</td> <td></td> <td></td> <td></td> <td>Date</td> <td>10/24/01</td> </tr> </table>						Name (Print/Type)	Robert Souchl	Registration No. (Attorney/Agent)	36,013	Telephone	202-371-2600	Signature				Date	10/24/01																																																																																																																																																																																																																			
Name (Print/Type)	Robert Souchl	Registration No. (Attorney/Agent)	36,013	Telephone	202-371-2600																																																																																																																																																																																																																															
Signature				Date	10/24/01																																																																																																																																																																																																																															

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnac

0080001 fee transmittal ntfmp